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5 Attorney for Defendant,
6 *John B. Atoigue*

FILED
DISTRICT COURT OF GUAM

JUL 11 2005 *mba*

MARY L.M. MORAN
CLERK OF COURT

7
8 **IN THE UNITED STATES DISTRICT COURT**

9 **FOR THE TERRITORY OF GUAM**

10 UNITED STATES OF AMERICA,)
11)

12 Plaintiff,)

13 vs.)

14)
15 JUAN SAN NICOLAS CHARGUALAF)
16 and JOHN A.B. ATOIGUE,)

17 Defendants.)
18)

MAGISTRATE CASE NO.: 05-00017

**STIPULATION AND ORDER TO
VACATE TRIAL**

19 **STIPULATION AND ORDER TO VACATE TRIAL**

20 **COMES NOW** Defendant, John A.B. Atoigue, by and through his attorney, Mark S. Smith,
21 Esq., and the United States, by and through, Special Assistant United States Attorney, Joseph Tock,
22 Esq., and hereby stipulate and request that Trial scheduled on July 11, 2005 at 9:00 a.m. be taken-off
23 calendar and a change of plea hearing scheduled at the court's convenience. Defendant John A.B.
24 Atoigue has executed said plea agreement and continues to waive his right to speedy trial.
25

26 Defendant's Counsel will be off-island for two weeks and will return July 20, 2005.
27 Vacating said trial will serve the ends of justice.
28

3
4 **SO STIPULATED:**

5 7/8/05
6 Date




MARK S. SMITH, ESQ.

Counsel for Defendant, *John A.B. Atoigue*

9
10 LEONARDO M. RAPADAS
United States Attorney

11
12 7/8/05
13 Date

14 By: 
JOSEPH TOCK, ESQ.
Special Assistant U.S. Attorney

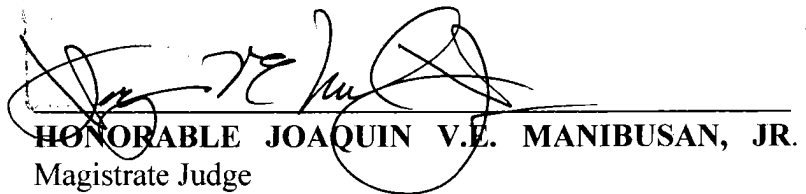
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18 **ORDER**

19
20 **IT IS HEREBY ORDERED** that the Trial in this matter is vacated. The change of plea
hearing is hereby scheduled on Monday, August 1, 2005 at 1:30 p.m.

21 **SO ORDERED** this July 11, 2005

22
23 **RECEIVED**
24 JUL - 5 2005

25 DISTRICT COURT OF GUAM
26 HAGATNA, GUAM
27
28


HONORABLE JOAQUIN V.E. MANIBUSAN, JR.
Magistrate Judge